

### REMARKS

Applicant respectfully requests reconsideration of the present application based on the following remarks.

Upon entry of this amendment, claims 1-9 and 21-24 will be pending in the application, of which claims 1 and 21 are independent.

***Claim rejections under 35 U.S.C. §102 and under 35 U.S.C. §103.***

Claims 1-6 and 21-24 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Chida in view of Wang (USP 6,118,817) Claim 7 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Chida in view of Wang (USP 6,118,817) and further in view of Freeman (USP 5,396,284). Applicant respectfully disagrees.

Applicant's previous amendment detailed the deficiencies of Chida as well as Freedman, which comments are incorporated herein.

Initially, there is no motivation to combine Chida and Wang. Rather, the examiner is finding teachings that appear to have similarity to different aspects of the present invention, and then lumping them together to form a rejection. In particular, Wang is directed to transmitting a signal without ever exceeding transmission bandwidth. In contrast, Chida is directed to obtaining a high quality still image from a sequence of video images. One of ordinary skill in the art would never have thought to combine these devices in the manner suggested by the Examiner without benefit of the present application.

In this office action, which no longer rejects claim 1 on anticipation grounds based on Chida, the examiner refers to Wang for the proposition that Wang teaches increasing a quantization parameter to consume less bandwidth at the expense of image quality. In Wang, the greater the motion, the lower the image quality.

In the present invention of claims 1 and 21, the opposite is true. The difference is used as an indication of motion, and if the difference exceeds a certain amount, then the frame is operated on at regular resolution. If the difference does not exceed a certain amount, then the frame is operated on at less than the regular resolution. Thus, even were the combination of Chida and Wang proper, the appropriate combination would give an effect that is opposite of that

of the present invention: as the present invention seeks to ensure that when there is motion, the higher resolution is stored, not a lower one as in Wang.

Still further, in order to ensure that the present invention captures all of the motion, claim 1 requires "if the predetermined threshold is not exceeded for the frame and a predetermined number of previous frames." The concept of the threshold not being exceeded for the frame and a predetermined number of previous frames is also not in either of the cited references.

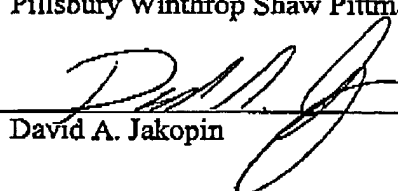
Further, with respect to claim 7, the Examiner cites to column 5, lines 30-53 of Freeman for the proposition of redesignating as the reference frame the subsequent frame and redesignating another subsequent frame as the target frame. This passage of Freeman, however, does not such redesignating at all. Rather, that passage of Freeman refers to comparing various "statistical arrays" which themselves are not indicative of individual frames. Further, there is no teaching whatsoever of designating the "new statistical array" as the subsequent "reference array."

All rejections having been addressed, and in view of the foregoing, the claims are believed to be in form for allowance, and such action is hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, he or she is kindly requested to contact the undersigned at the telephone number listed below.

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Respectfully submitte,  
Pillsbury Winthrop Shaw Pittman LLP

Date: June 12, 2006

  
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